

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOSE ORELLANA and JHONNY  
HERAS MOLINA,

Plaintiffs,

-against-

PALACIOS DRYWALL INCORPORATED,  
JOSE PALACIOS, GUILLERMO MENDOZA,  
and YOLANY HERNANDEZ a/k/a Yolany  
Sorto De Palacios,

Defendants.

ANALISA TORRES, District Judge:

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23 Civ. 1962 (AT)


**ORDER**

On March 27, 2024, the Court ordered Plaintiffs to either personally serve Defendants Palacios Drywall Incorporated, Jose Palacios, and Yolany Hernandez (the “Defaulting Defendants”), or to file an affidavit explaining why the process server’s attempts at service to date fulfill the due diligence requirement of N.Y. C.P.L.R. § 308(4). ECF No. 53. On April 16, 2024, counsel for Plaintiffs filed an affirmation stating that service at Defendants’ workplace is impracticable because Defendants “change[] jobsites on a regular basis” and lack a “fixed office,” and that the process server has attempted to serve Defendants six times at their last known address. Mulholland Aff. at 2, ECF No. 54.

The affirmation also states that “[t]here was another Yonkers address for the Palacios at 35 Hamilton Ave Yonkers, NY[] however no one ever answered the door at that address nor did a third party confirm the address.” *Id.* By **April 24, 2024**, Plaintiffs shall file a supplemental affirmation detailing any past attempt(s) to serve Defendants at 35 Hamilton Ave in Yonkers.

SO ORDERED.

Dated: April 17, 2024  
New York, New York

  
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ANALISA TORRES  
United States District Judge